

**TRAUB LIEBERMAN**  
**STRAUS & SHREWSBERRY LLP**  
NEW YORK | NEW JERSEY | FLORIDA

Mid-Westchester Executive Park  
Seven Skyline Drive  
Hawthorne, New York 10532

Telephone (914) 347-2600  
Facsimile (914) 347-8898  
www.traublieberman.com

February 15, 2007

**VIA FEDERAL EXPRESS**

Hon. Charles L. Briant  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas St., Room 275  
White Plains, NY 10601

**FILED**  
Motion for #9 is now  
settled and should be  
closed  
2/20/2008  
Charles L. Briant

Re: *Termini v. Ossining Union Free School District, et al.*  
Civil Action No. 07cv10483 (CLB)

Honorable Sir:

On January 18, 2008, as counsel for defendants in the above-captioned matter, we served and filed a motion dismiss the complaint, with an accompanying memorandum of law and other supporting documentation. This motion was to be fully briefed no later than February 15, 2008, and the parties were to appear before the Court on this matter on February 22, 2008, at 10:00 a.m. However, in lieu of any opposition to our motion, plaintiff served and filed an amended complaint on January 31, 2008. Thus, mooted our original motion to dismiss.

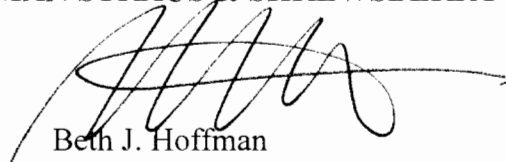
Pursuant to the Federal Rules of Civil Procedure, defendants are to answer or otherwise respond to the amended complaint on or before February 15, 2008. Accordingly, we enclose herewith two courtesy copies of our motion to dismiss the amended complaint by defendants Ossining Union Free School District and Board of Education of the Ossining Union Free School District pursuant to F.R.C.P. 12(b)(6), for your review. Copies of same have been served and filed via the Electronic Case Filing System earlier today, pursuant to the Federal Rules of Civil Procedure.

Hon. Charles L. Bricant  
Termini v. Ossining UFSD, et al.  
Page 2

We thank your Honor for consideration of this matter.

Respectfully submitted,

**TRAUB LIEBERMAN STRAUS & SHREWSBERRY LLP**



Beth J. Hoffman

Encl.

cc: Jonathan Lovett, Esq.  
Lovett & Gould, LLP  
Attorneys for Plaintiff  
222 Bloomingdale Road  
White Plains, N.Y. 10605